United Nations S/PV.6730

Security Council

Sixty-seventh year

Provisional

6730th meeting

Tuesday, 6 March 2012, 10 a.m.

New York

President:	Sir Mark Lyall Grant	(United Kingdom of Great Britain and Northern Ireland)
Members:	Azerbaijan	Mr. Mehdiyev
	China	Mr. Tian Lin
	Colombia	Mr. Osorio
	France	Mr. Briens
	Germany	Mr. Wittig
	Guatemala	Mr. Rosenthal
	India	Mr. Raguttahalli
	Morocco	Mr. Loulichki
	Pakistan	Mr. Tarar
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Pankin
	South Africa	Mr. Mashabane
	Togo	Mr. Menan
	United States of America	Ms. Rice

Agenda

Reports of the Secretary-General on the Sudan

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12-25259 (E)

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The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of South Sudan and the Sudan to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

After consultation among Council members, I have been authorized to make the following statement on their behalf:

"The Security Council expresses grave concern about reports of repeated incidents of cross-border violence between the Sudan and South Sudan, including troop movements, support to proxy forces and aerial bombardments, and views the situation as a serious threat to international peace and security. The Council urges the two countries to implement and respect the letter and spirit of their 10 February Memorandum of Understanding on Non-Aggression and Cooperation, which was agreed under the auspices of the African Union High-level Implementation Panel (AUHIP).

"The Security Council demands that all parties cease military operations in the border areas and put an end to the cycle of violence. It further demands that the Governments of the Sudan and South Sudan take no action that would undermine the security and stability of the other, including through any direct or indirect form of support to armed groups in the other's territory. The Security Council condemns actions by any armed group aimed at the forced overthrow of the Government of either the Sudan or South Sudan. The Security Council affirms its strong commitment to the sovereignty and territorial integrity of both the Sudan and South Sudan.

"The Security Council reiterates that the core objectives of the international community and all stakeholders in the Sudan and South Sudan are the peaceful coexistence of two fully viable States, embracing democratic governance, rule of law, accountability, equality, respect for human rights, justice and economic development, in particular the establishment of the conditions for conflict-affected communities to build strong and sustainable livelihoods.

"The Security Council recalls the 28 June 2011 Framework Agreement between the Government of the Sudan and the Sudan People's Liberation Movement-North (SPLM-North) on political and security arrangements for Blue Nile and Southern Kordofan states, and urges them to return to direct talks to resolve all political and security issues on the basis of the Comprehensive Peace Agreement and of the agreed principles of the Framework Agreement. The Security Council urges them to resolve the underlying issues that have fuelled the current conflict in Southern Kordofan and Blue Nile, to end all violence and to agree to an immediate cessation of hostilities. The Security Council strongly supports the efforts of the AUHIP and the United Nations to assist in that regard.

"With regard to the humanitarian situation, the Security Council emphasizes the grave urgency of delivering humanitarian aid to avert a worsening of the serious crisis in Southern Kordofan and Blue Nile, and demands that the Government of the Sudan and the SPLM-North cooperate fully with the United Nations and other humanitarian agencies and organizations, and ensure, in accordance with international law, including applicable international humanitarian law and guiding principles of emergency humanitarian assistance, the safe, unhindered and immediate access of United Nations and other humanitarian personnel, as well as the delivery of supplies and equipment, in order to allow such personnel to efficiently perform their task of assisting conflict-affected civilian populations in Southern Kordofan and Blue Nile states. The Security Council welcomes the tripartite proposal by the United Nations, the African Union and the League of Arab States in that regard, welcomes its acceptance by the SPLM-North and encourages the Government of the Sudan to do the same.

"The Security Council deeply deplores the continued failure of the Sudanese and South Sudanese security forces to redeploy from the

Abyei Area in accordance with the 20 June 2011 Agreement on Temporary Arrangements for the Administration and Security of the Abyei Area (S/2011/384) and the 8 September 2011 decision of the Abyei Area Joint Oversight Committee (S/2011/593). The Security Council welcomes the decision of the Joint Political and Security Mechanism to establish and move forward with the Joint Border Verification and Monitoring Mechanism, in accordance with the 29 June 2011 Agreement on Border Security and the Joint Political and Security Mechanism. The Council urges the parties to agree on a map that will outline the area of operations for the Safe Demilitarized Border Zone and the area of operations for border monitors. The Council demands that the two countries accelerate implementation of the 20 June 2011 Agreement and the immediate establishment of the Abyei Area Administration, and work actively towards a long-term political resolution of Abyei's final status. The Council demands that the Governments of the Sudan and South Sudan facilitate the safe and dignified return of persons displaced from Abyei to their homes, and grant full, safe and unhindered humanitarian access to the Abyei Area. The Council emphasizes the need for a safe and cooperative migration season.

"The Security Council regards the settlement of oil and financial arrangements between the Governments of the Sudan and South Sudan as a critical element of the two countries' security, stability and prosperity as viable States. The Council affirms that any unilateral action related to the oil sector is detrimental to the security, stability and prosperity of both States. The Security Council strongly urges both States to work within the framework of the AUHIP's January 2012 comprehensive proposal in order to reach mutual agreements without delay on transitional financial arrangements and commercial oil arrangements.

"The Security Council urges the Governments of the Sudan and South Sudan to ensure that clear procedures for acquiring nationality in the respective States are in place, together with relevant documentation regarding residency or right to employment. If such arrangements are not in place before the end of the 8 April transition period, the Council urges both States to agree on an extension.

"The Security Council strongly urges the Governments of the Sudan and South Sudan to reach agreement on the status of disputed areas along the Sudan/South Sudan border, and to agree on and swiftly implement a process and timeline for demarcation of the border under the facilitation of the AUHIP.

"The Security Council reiterates its full support to United Nations peacekeeping missions in the Sudan and South Sudan. It calls on the Sudan and South Sudan to cooperate fully with the United Nations missions to ensure them free access throughout their areas of operation and to ensure unhindered and expeditious movement of all personnel, including by swiftly granting visas and travel permits, as well as of equipment, provisions, supplies and other goods, including vehicles, aircraft and spare parts, which are for the exclusive and official use of United Nations missions.

"The Council strongly urges the Sudan and South Sudan to continue working within the context of the AUHIP-facilitated negotiations process to reach agreement on all outstanding issues as soon as possible, and encourages the continued partnership among the AUHIP, the United Nations and other key international stakeholders with a view to combining their efforts in support of those negotiations.

"The Security Council reaffirms its commitment to a peaceful and prosperous future for the people of the Sudan and South Sudan. The Council expresses its gratitude and full support for the continuing work of the African Union High-level Implementation Panel for the Sudan and its Chair, President Thabo Mbeki, as well as of Special Representative of the Secretary-General Haile Menkerios, and stresses the collaborative partnership between the United Nations and the African Union in this regard. The Council calls on the Governments of the Sudan and South Sudan to extend their full cooperation to the AUHIP."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2012/5.

I now give the floor to the representative of the Sudan.

Mr. Osman (Sudan) (*spoke in Arabic*): At the outset, I should like to thank you, Sir, for giving us the opportunity to participate in this important meeting.

I believe that the presidential statement that has just been adopted is balanced. I should like, however, to clarify a few truths that may have been omitted. I do so not to attack or to go on the offensive, but simply to clarify certain facts.

I affirm that we fully intend to resolve all pending questions between us and the sisterly State of South Sudan through negotiations. We have not started a war, but were forced into one despite hating the idea of entering into hostilities with the sisterly State of South Sudan. That is the first truth.

The second truth is that we have cooperated with the Security Council and the African Union High-Level Implementation Panel (AUHIP) in order find lasting solutions to this issue. I affirm our good intentions and wish to clarify the following points.

As I informed you yesterday, Sir, we have some 12,000 brotherly students from South Sudan in our educational institutions. They are treated with great dignity, and we shall continue to treat them thus in our educational system. Moreover, Council members may not be aware that Southerners have not been expelled from the military schools and institutions that train our military officers and many of our brothers from the South. They have never been subjected to ill-treatment; on the contrary, they have been treated with great dignity. I reiterate that we shall extend our assistance to their attendance at these military institutions until they have fully completed their studies and received their diplomas. They will then be transferred to South Sudan in the most dignified manner.

The Sudan has always accepted and will continue to accept all mediation proposals put forward by AUHIP. As Mr. Thabo Mbeki has said, we have rejected no proposal and have cooperated extensively.

Another point I wish to raise is that some three weeks ago we welcomed to Khartoum our brother the Minister for Humanitarian Affairs of the brotherly State of South Sudan. We signed an agreement with him concerning the citizens of South Sudan who are to return there, stipulating the need for flexibility with regard to the 8 April deadline. As I said, all these facts may be unknown to the members of the Council. I feel that Council members should be aware of certain facts concerning the other side. Again, I wish not to go on the attack, but simply to describe genuine realities.

In conducting operations to assist citizens returning to South Sudan, we have done so in three ways. With the cooperation of the International Organization for Migration, they have been transported by rail, river and air. We dispatched five boats laden with returnees to South Sudan. River transport is the best means of conveying passengers and freight alike. In providing the five boats to transport returnees to the South, we agreed to allow South Sudan to transfer through the Sudan and on its rivers all equipment belonging to the United Nations Mission in the Sudan (UNMIS).

Does all this not sufficiently demonstrate our good intentions? And yet, some 12 Sudanese vessels were confiscated by South Sudan and not returned; indeed, they have been used for military purposes. The Council should be aware of these facts. What does all this mean? Clearly, it will delay the return of Southern citizens who remain in the North. In the light of the confiscation of our vessels, I will leave it to the Council to determine what it must do to help us return the citizens of the South to their country.

With regard to cooperation with the peacekeeping Mission, I should like to emphasize that, as it has in the past, the Government of the Sudan will continue to cooperate with missions deployed on Sudanese territory with the consent of its Government. With regard to other missions deployed on the territory of other countries with their consent, they are of no concern to us whatsoever — although, as I have indicated, we did provide assistance in transporting equipment for the United Nations Mission in the Republic of South Sudan.

The last point that I would like to mention pertains to the humanitarian situation in Southern Kordofan and Blue Nile states. The Sudan would like to underscore its cooperation with the United Nations. Speaking here two days ago, the Sudan's Minister for Social Affairs, who is responsible for humanitarian issues, told Ms. Valerie Amos that our country would consider the tripartite initiative, which we accepted in principle. We will continue to review the proposals over the next few days, so as to reach a definite solution to this matter.

In accordance with the latest information we have available on the humanitarian situation, the situation in Southern Kordofan is far from reaching the crisis stage. A recent development relating to cooperation with United Nations agencies involved in humanitarian affairs — the Food and Agriculture Organization, UNICEF, the World Health Organization and the International Organization for Migration, among others — has resulted in an improvement in that regard. Lastly, we have no doubt that the situation will continue move in a positive direction in the course of the coming days.

The President: I now give the floor to the representative of South Sudan.

Mr. Choat (South Sudan): I would very much like to thank the members of the Security Council for the important presidential statement adopted today (S/PRST/2012/5). Having read the statement, I should like to make a few points.

First, I would like to reiterate the policy of the Republic of South Sudan: we are committed to two viable States living side by side in peace. We also have a policy of non-interference in the affairs of other sovereign States. I would like to point out that we have been unfairly accused several times of supporting the opposition groups fighting the Government of the Sudan. I again reiterate that we have not supported any opposition groups fighting the Government of the Sudan. It is not our policy to support opposition against other States.

Secondly, I would also like to bring to the Council's attention the fact that the Republic of South Sudan welcomed the non-aggression pact signed in Addis Ababa on 10 February. However, we also want the Council to know that three days after the signing of the pact, the Government of the Sudan violated the agreement by bombing areas in Western Bahr Al-Ghazal and Unity states on 13 February, and areas in Upper Nile state a few days later. We condemned those acts of aggression, which are in violation of the agreement we signed with the Republic of the Sudan.

I would also like to inform members of the Council that our team is now in Addis Ababa for the resumption of the negotiations. We have negotiated in good faith and given some proposals to the African Union that are in line with international standards with regard to oil transit fees. We are committed to the negotiations and we are fully supporting the African Union High-level Implementation Panel as a forum in which all outstanding issues can be resolved.

I also want to point out that we believe in a comprehensive resolution of all outstanding issues, because they are all connected. When a border is not clearly defined, that is a recipe for conflict. In that regard, we have called upon the Republic of the Sudan to demarcate the border. There has not been political will to demarcate the border. It is therefore very important that the Council call for the border to be demarcated.

The last point I want to emphasize has to do with the issue of citizenship. It has been our position since the beginning of the negotiations that both the citizens of the Republic of the Sudan and South Sudan could chose where they want to live. That is the proposal we made, but the Republic of the Sudan did not agree to it. Based of what I have heard from the representative of the Sudan, I hope that there will be a change in the position they have taken.

In addition, there is a bad humanitarian situation in the two areas involved. We are concerned because the refugees fleeing Southern Kordofan and Blue Nile states in the Sudan are coming to areas in our country. In line with our commitment to the Charter of the United Nations, we have extended assistance to refugees who have crossed our border, who are frequently targeted on our territory, in violation of international law.

Finally, I would like to thank you, Mr. President, for giving my this opportunity to participate.

The President: The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.40 a.m.